

REMARKS

Claims 8-14 are pending in this application. By this Amendment, claim 8 is amended. The amendments introduce no new matter. Support for these amendments can be found, for example, at page 6, line 26 - page 7, line 3, and in Figs. 1-11 of Applicant's disclosure. Reconsideration of the application based on the above amendments and the following remarks is respectfully requested.

The Office Action rejects claims 8-13 under 35 U.S.C. §102(b) over U.S. Patent No. 5,593,565 to Adjari et al. (hereinafter "Adjari"); rejects claims 8-14 under 35 U.S.C. §103(a) over U.S. Patent No. 7,016,560 to Ticknor et al. (hereinafter "Ticknor") in view of Adjari; and rejects claim 10 under 35 U.S.C. §103(a) over Adjari in view of Ticknor. These rejections are respectfully traversed.

Without conceding the propriety of these rejections, claim 8 is amended to recite, among other features, (1) wherein the means for stabilizing comprise at least one electrode arranged on only one part of a first wall of the microchannel and (2) wherein the microchannel includes at least two zones, respectively designed to contain the at least one liquid and the at least one fluid non-miscible with the liquid, at least one of the two zones is formed by a space corresponding to the width of the at least one electrode arranged on only one part of the first wall. The applied references do not teach, nor can they reasonably be considered to have suggested, these features.

The Office Action asserts that Adjari and Ticknor both disclose a microfluidic device comprising a microchannel including electrodes disposed on a first and second wall with features that allegedly correspond to the combination of features previously recited in claim 8. In this regard, the Office Action concedes that Ticknor does not disclose electrodes disposed over the entire length of the microchannel, as recited in claim 8. To cure this deficiency, the

Office Action reapplies Adjari. The analysis of the Office Action fails for at least the following reasons.

Adjari teaches a device for separating particles contained in a fluid (title). With reference to Figs. 1, 5, 9 and 10, Adjari teaches a microchannel C with electrodes 3 and 4 forming walls on opposite sides of the microchannel and that span the entire length of the respective walls of the microchannel. Adjari, however, does not disclose at least one electrode arranged on only one part of a first wall or that the microchannel includes at least two zones, at least one of the two zones is formed by a space corresponding to the width of at least one electrode arranged on only one part of the first wall.

Ticknor teaches a microchannel for use in the context of an optical waveguide for various purposes including switching and attenuation of optical signals controlled by movements in minute volumes of fluid (col. 3, lines 19-42). With reference to Fig. 9, Ticknor also discloses a microchannel 900 with fluids 901 and 902 formed between opposing electrodes 903 and 904 (col. 24, line 59 - col. 25, line 8). Ticknor, however, does not teach at least one of any alleged two zones is formed by a space corresponding to the width of the at least one electrode arranged on only one part of the first wall, as recited in claim 8.

Further, the subject matter of the pending claims are directed to, among other objects, providing a microfluidic device wherein the contact zone between the liquid and a fluid non-miscible with one another is stabilized and easy to implement, while preserving a high contact surface between the liquid and the fluid. In contrast, Adjari is directed to a device for separating particles contained in a fluid and does not apparently contemplate a device for stabilizing the contact zone between the liquid and a fluid non-miscible with the other. As such, it would be unreasonable to assert that Adjari would have been obviously modified in a manner to arrive at the above-quoted features recited in claim 8.

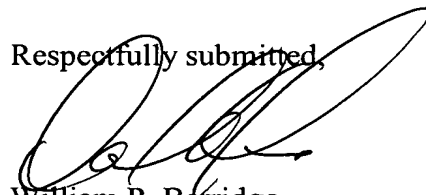
For at least the foregoing reasons, it is unreasonable to assert that the applied references, individually or in combination, teach, nor can they reasonably be considered to have suggested, the combination of features recited in independent claim 8. Additionally, claims 9-14 are also allowable for at least the respective dependence of these claims, directly or indirectly, on an allowable base claim, as well as for the separately patentable subject matter that each of these claims recites.

Accordingly, reconsideration and withdrawal of the rejections of claims 8-14 under 35 U.S.C. §102(b) and §103(a) as being anticipated by, or unpatentable over, the applied references is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 8-14 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Date: May 23, 2008

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